

# **EXHIBIT 32**

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x

5 NATIONAL ASSOCIATION FOR THE  
6 ADVANCEMENT OF COLORED PEOPLE,  
7 SPRING VALLEY BRANCH; JULIO  
8 CLERVEAUX; CHEVON DOS REIS; ERIC  
9 GOODWIN; JOSE VITELIO GREGORIO;  
10 DOROTHY MILLER; HILLARY MOREAU;  
11 and WASHINGTON SANCHEZ,

12 Plaintiffs,

13 17 Civ. 8943

14 -against-

15 EAST RAMAPO CENTRAL SCHOOL  
16 DISTRICT and MARYELLEN ELIA, IN HER  
17 CAPACITY AS THE COMMISSIONER OF  
18 EDUCATION OF THE STATE OF NEW  
19 YORK,

20 Defendants.

21 - - - - -x

22 January 28, 2019  
23 9:11 a.m.

24 Deposition of EMILIA WHITE,  
25 taken by Defendant, pursuant to Notice,  
held at the offices of Morgan Lewis  
Bockius LLP, 101 Park Avenue, New York,  
New York, before Sharon Pearce, a  
Registered Merit Reporter, Certified  
Realtime Reporter, and Notary Public of  
the State of New York.

\* \* \*

1 WHITE

2 E M I L I A W H I T E ,

3 having first been duly sworn by

4 Sharon Pearce, the Notary Public,

5 was examined and testified as

6 follows:

7 EXAMINATION

8 BY MS. KOLLM:

9 Q. Good morning, Emilia.

10 A. Good morning.

11 Q. My name is Clara Kollm, and I  
12 represent the East Ramapo Central School  
13 District in this litigation.

14 Will you please state your full  
15 name for the record.

16 A. My name is Emilia White.

17 Q. Okay. Do you understand that  
18 you are here today pursuant to a subpoena?

19 A. Yes.

20 Q. Are you represented by counsel  
21 today?

22 A. Yes.

23 Q. Is that your lawyer sitting next  
24 to you?

25 A. Yes.

1 WHITE

2 that, because I don't want people to say  
3 I'm anti-Semite, as I've been called  
4 before, but they all wear yamakas; they  
5 all wear the same overcoat. It's, like,  
6 it's their religion. That's how they  
7 dress. So you can -- you can tell this  
8 person is Jewish.

9 Q. Okay. So you can tell that they  
10 are Jewish because of outward signs of  
11 their religion, like a yamaka; is that  
12 right?

13 MS. BARBIERI: Objection.

14 A. How they're dressed.

15 Q. How they're dressed.

16 A. Yes.

17 MS. BARBIERI: Objection.

18 Q. Okay. So would you please state  
19 your race for the record.

20 A. I'm Haitian.

21 Q. Haitian.

22 Do you currently live --

23 A. Or should I say Haitian  
24 American?

25 Q. Whatever you prefer.

1 WHITE

2 A. A trustee is what it is. You --  
3 the constituents trust you to make  
4 decisions on their behalf. You safeguard  
5 the assets of the -- of the village, of  
6 the taxpayers.

7 Q. So this is a trustee of Spring  
8 Valley; is that right?

9 A. Yes.

10 Q. How many trustees of Spring  
11 Valley are there at any given time?

12 A. Four trustees.

13 Q. Four trustees.

14 And a trustee, is that an  
15 elected position?

16 A. Yes. Well, they can be  
17 appointed.

18 Q. Were you elected to be trustee?

19 A. Yes.

20 Q. How long was your term as  
21 trustee?

22 A. Four years.

23 Q. Four years.

24 So when were you elected to be a  
25 trustee?

1 WHITE

2 A. In 2013.

3 Q. 2013.

4 And you served one term as  
5 trustee?

6 A. Yes.

7 Q. Did you ever hold any other  
8 elected office in the district?

9 A. No.

10 Q. Did you ever run for any other  
11 elected office?

12 A. Yes.

13 Q. Which other elected positions  
14 did you run for?

15 A. In 2011, I ran for Town Council  
16 for the Town of Ramapo.

17 Q. Town of Ramapo?

18 And you were unsuccessful?

19 A. Correct.

20 Q. Who was your opponent in that  
21 race?

22 A. I believe it was -- I believe  
23 Brendel Logan. I'm not 100 percent sure.

24 Q. Okay. Did you run for any other  
25 elected office besides the school board of

1 WHITE

2 And then do you see your name?

3 A. Yes.

4 Q. Do you remember this  
5 December 10, 2009, meeting?

6 A. Not really.

7 Q. Does reading this document  
8 refresh your recollection about the  
9 December 10, 2009, meeting?

10 A. No.

11 Q. Can you tell me what East Ramapo  
12 Stakeholders is?

13 A. It's -- it's a group of people  
14 that -- parents or concerned citizens who  
15 got together to advocate for education in  
16 our district.

17 Q. Is East Ramapo Stakeholders  
18 different from the group you talked about  
19 earlier? I think it was called Strong  
20 East Ramapo.

21 A. I think the name is different.  
22 I don't think the purpose is different.

23 Q. Are there similar people  
24 involved in both organizations?

25 A. Yes.

1 WHITE

2 Q. Would it be fair to say that  
3 Strong East Ramapo was an outgrowth of  
4 East Ramapo Stakeholders?

5 A. Possibly.

6 Q. Do you know who would have  
7 written the meeting minutes for the East  
8 Ramapo Stakeholders in general?

9 A. I can assume it might have been  
10 my husband. I can assume. I'm assuming  
11 that's him. But I'm not sure. I can't  
12 tell you 100 percent who wrote the  
13 minutes.

14 Q. Why do you assume your husband  
15 wrote the minutes?

16 A. Because he's involved in a lot  
17 of the meetings, and a lot of times, he  
18 writes things. So I assume it's him. But  
19 I don't know.

20 Q. And in the first bullet, it  
21 looks like your husband chaired this  
22 meeting; is that right?

23 MS. BARBIERI: Objection. This  
24 document speaks for itself.

25 A. That's what it says on the



1 WHITE

2 there, you don't need to be asked for ID.

3 Q. So new voters are more likely to  
4 be asked for an ID, because their  
5 signature would not be in the book; is  
6 that right?

7 A. Right.

8 Q. Okay.

9 A. First-time voters.

10 Q. First-time voters are more  
11 likely to be asked for an ID.

12 A. Yes.

13 Q. And -- okay. Were there any  
14 other incidents that you reported to a  
15 poll captain that you wanted to discuss?

16 A. I report things a lot. So I  
17 don't remember right now. I can't  
18 remember most of them.

19 Q. If you remember another one,  
20 please let me know.

21 Are you aware of any of the  
22 incidents that you reported to a poll  
23 captain being elevated to the district  
24 administration or the school board?

25 A. No.

1 WHITE

2 Q. When you reported an incident to  
3 a poll captain, what would generally  
4 happen?

5 A. What would really happen? What  
6 would happen? Sometimes the captain would  
7 try to help the person, you know,  
8 especially if I tell the person, wait,  
9 she's going to help you. And they would,  
10 you know, try, because if they don't, I  
11 would call the -- you know, try to call  
12 the district, the chairperson or  
13 something. So --

14 Q. Somebody above the poll captain.

15 A. Yeah. So usually, you know, the  
16 person might try to help. But I've seen  
17 people come out of the polling places with  
18 tears in their eyes after they're trying  
19 to vote. It reminds me of the 1950s, 30s,  
20 40s, 50s, when people were being  
21 mistreated, especially when people wanted  
22 to vote, you know, in the 1920s, 30s, 40s,  
23 what -- it motivates you when you can come  
24 out and cast your vote. You feel like you  
25 have been empowered. So when they come

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2 out, they're crying, you just feel  
3 terrible. And I would say, no, don't go.  
4 Just stay here. Somebody is going to help  
5 you. I would, you know, go outside, leave  
6 and go outside. And some polling places,  
7 if you left then they tell you you can't  
8 go back in. You have to have another  
9 certificate.

10 Q. As a poll watcher?

11 A. Yes.

12 Q. So take one step back.

13 As a poll watcher, do you need a  
14 certificate?

15 A. Yes.

16 Q. Where do you get the  
17 certificate?

18 A. Well, normally, before -- I  
19 believe before 2008, you could get poll  
20 certificates from the clerk. The clerk  
21 would give -- would give the candidates  
22 the poll certificates. The candidates  
23 would give the certificates to the people  
24 that were going to poll watch. But after  
25 2008, you have to get it directly from the

1                   WHITE  
2    clerk of the school district. And to get  
3    it from the clerk, you have to -- that's  
4    what I went through -- you have to go  
5    between a certain time before school  
6    closes, before they close the doors, to  
7    get the certificate from the clerk, and  
8    you have to promise you're going to be  
9    there from this time to this time, which  
10   makes no sense, because what if you just  
11   want to stay for an hour or three hours  
12   and you're not sure? You should be able  
13   to have a certificate. You can't have --  
14   you can't write down exactly when you're  
15   going to start, when you're going to end.  
16   It's poll watching. So it was made very  
17   difficult for people -- poll watchers to  
18   even poll watch, because it was so  
19   restrictive, you know. So it was more  
20   like we were working for the -- we were  
21   being fought by the people that works for  
22   the district. Whenever it's time to vote,  
23   there was a struggle. You know, we want  
24   to just poll watch, but we get all kinds  
25   of difficulties from the -- from the

1 WHITE

2 school representative.

3 Q. So the rules for poll watchers  
4 after 2008, they were applicable to all  
5 poll watchers; right?

6 A. Yeah.

7 Q. Okay.

8 A. For the district, because for  
9 the, you know -- for poll watchers for  
10 regular elections, in the district you get  
11 the certificates from the candidates. And  
12 you don't have to write down the time  
13 you're go in to be there. You get a blank  
14 certificate. You write down the time and  
15 you sign it.

16 Q. So it's different for school  
17 board elections.

18 A. Yes.

19 Q. Have you ever been prevented  
20 from poll watching?

21 A. People have tried, but I've poll  
22 watched.

23 Q. What do you mean by people have  
24 tried?

25 A. They say, "You can't be here.

1 WHITE

2 You can't -- you know, you can't come  
3 here. No." And then I would say, "I am a  
4 poll watcher, I have a certificate, and I  
5 have the right to be here." Then they  
6 would say, "Okay. Then you can sit  
7 there." And I say, "No. If I sit there,  
8 then I won't be able to see anything. So  
9 I can stay here as long as I'm not in the  
10 way." So I would stay. Then they would,  
11 you know --

12 Q. Then they would leave you alone  
13 and let you poll watch?

14 A. Yeah. Let me -- let me watch.  
15 Because that's all you do. You don't do  
16 anything. You don't touch the paper. You  
17 don't touch paper. You don't do anything.  
18 You just want to make sure that things are  
19 running smoothly.

20 Q. About how many poll watchers  
21 would be at a polling place at any given  
22 time?

23 A. I don't know. I've seen two,  
24 maybe three at a time.

25 Q. Can you name anyone who was a

1 WHITE

2 poll watcher with you?

3 A. Not exactly with me, but there  
4 were people that poll watch, while I poll  
5 watched in different poll watching places.  
6 So -- yeah. But a lot of people have poll  
7 watched, you know, including Tony Luciano,  
8 Michael Miller, I believe Curtis Whitehead  
9 has, Steven White.

10 Q. So earlier, you said that if you  
11 didn't go to the captain about an  
12 incident, you could call somebody above  
13 the captain; is that right?

14 A. Well, if the person didn't do  
15 anything, then I would call the school --  
16 the clerk.

17 Q. So approximately how many times  
18 did you call the clerk about an incident  
19 while you were poll watching?

20 A. A few times. I don't remember  
21 how many times.

22 Q. Less than five?

23 A. Yeah.

24 Q. Okay. And what would happen  
25 when you called the district clerk?

1 WHITE

2 A. I don't know. They would talk  
3 to the captains. I don't know.

4 Q. So you would just report the  
5 incident, and then the clerk would  
6 presumably do something about it.

7 A. Yeah.

8 MS. BARBIERI: Objection.

9 Q. Did you see what happened at the  
10 polling place after your call?

11 A. No. What do you mean what  
12 happened?

13 Q. Was the incident that you were  
14 calling about resolved after you called  
15 the clerk?

16 A. I don't know. I don't know. If  
17 I called about someone who couldn't vote,  
18 who was asked to go back and forth, and  
19 the person leaves or the person is trying  
20 to leave, I would say, you know, let me  
21 call. And I don't know what happened  
22 after that. As I said, you can't be on  
23 the phone, so you have to go outside and  
24 make a report and come back inside. So  
25 you can't --



1 WHITE

2 Q. So let's talk about your school  
3 board candidacy in 2009.

4 Do you remember -- or did you  
5 run as part of the slate?

6 A. Yes.

7 Q. Do you remember who else was on  
8 your slate?

9 A. You asked me that already.

10 Q. Do you remember now? I don't  
11 know if you remembered previously.

12 A. It was --

13 Q. Oh, did you say --

14 A. Myself --

15 Q. -- it was Peggy Hatton and --

16 A. -- and Tony Luciano.

17 Q. Does the name Leonardo Vera --

18 A. I'm sorry.

19 Q. Is that right?

20 A. Leonardo Vera. Leonardo Vera.

21 Oh, my God. It's, like -- okay.

22 Q. Here. Maybe this will help.

23 I'll give you what will be marked as

24 Emilia White Exhibit 2.

25

1 WHITE

2 (Emilia White Exhibit 2,  
3 Official results of the May 2009  
4 election, was hereby marked for  
5 identification, as of this date.)

6 A. It's, like, Leonardo --

7 Q. Okay. So Emilia White Exhibit 2  
8 is the official results of the May 2009  
9 election.

10 And on the right-hand side, you  
11 can see that there are three seats for the  
12 school board that are being -- that are  
13 vacant, that is, a candidate can run for.

14 So the candidates in 2009 were  
15 Morris Kohn, Leonardo Vera, Carolyn  
16 Watson, Margaret Hatton, Eliyahu Solomon,  
17 Emilia White, and Richard Stone.

18 Does that refresh your  
19 recollection about who was --

20 A. Yes.

21 Q. -- part of your slate?

22 A. Yes.

23 Q. Okay. So who was part of your  
24 slate?

25 A. It was Peggy Hatton and Leonardo

1 WHITE

2 Vera.

3 Q. Okay. And how did you come to  
4 be on a slate with Leonardo Vera and Peggy  
5 Hatton?

6 A. How did I come to be on a slate?  
7 Well, we showed interest in running,  
8 and -- and I think they had a vote that  
9 was a vote from I think the stakeholders  
10 or -- I think the stakeholders. That was  
11 from the stakeholders.

12 Q. When you say "the stakeholders,"  
13 are you referring to the East Ramapo  
14 Stakeholder group?

15 A. Yes. I think that's the same  
16 group that had meetings in trying to  
17 recruit people interested in voting, in  
18 running, and I showed an interest, and I  
19 think they voted for us to run.

20 Q. Is Margaret Hatton the same  
21 person as Peggy Hatton?

22 A. Yes.

23 Q. Okay. And what skin color is  
24 Leonardo Vera?

25 A. He's Latino American.

1 WHITE

2 Q. And what is the skin color of  
3 the other candidates? So starting on the  
4 left. We'll just go from the left to  
5 right.

6 So Morris Kohn?

7 A. Mr. Kohn, I believe, is --  
8 they're all -- they're all white.

9 Q. So Mr. Kohn, Carolyn Watson,  
10 Eliyahu Solomon, and Richard Stone are all  
11 white.

12 A. I believe so.

13 Q. Okay. So you mentioned that the  
14 East Ramapo Stakeholders would recruit  
15 candidates.

16 Can you describe that recruiting  
17 process.

18 A. They would have meetings, and  
19 they would ask for people to fill out -- I  
20 believe fill out a questionnaire, and then  
21 they would be asked to give the reason why  
22 they would run for school board and what  
23 would they do, you know, how would they  
24 help better the school, the education of  
25 the children. And then if people felt

1 WHITE

2 shouldn't I email address be in it?

3 Q. I would think so. Maybe it came  
4 from another file in your computer. I  
5 don't know. But this came from your  
6 custodial file.

7 A. I don't know.

8 Q. So it was in your possession.

9 A. I cannot answer that question.

10 MS. BARBIERI: It may not have  
11 come from her inbox.

12 Q. It may not have come from your  
13 inbox. That is correct.

14 A. I don't know. I don't have  
15 this. I don't know anything about this.

16 Q. Okay. So you've never seen this  
17 before.

18 A. I do not remember seeing this.

19 (Emilia White Exhibit 6, An  
20 email chain dated March 2, 2012, was  
21 hereby marked for identification, as  
22 of this date.)

23 Q. So Exhibit 6, if you turn to the  
24 first full page of text, is an email from  
25 happykcc@hotmail.com to firgodj@aol.com.

1 WHITE

2 A. Because those who send their  
3 children to Catholic schools, they're not  
4 on the board. They're not -- they're not  
5 there to make sure our children get an  
6 education. The people that are on the  
7 board are the people responsible for the  
8 education of the children.

9 Q. The next paragraph says, "For  
10 the past three years, I have been speaking  
11 with students, parents, teachers, and  
12 concerned individuals in our community and  
13 beyond. Everyone feels disenfranchised  
14 and beaten by the system and the board  
15 members who control (dominate the board)."

16 Can you give me any examples by  
17 name of students with whom you spoke?

18 A. I'm not going to give you  
19 examples of students of whom I spoke. I  
20 spoke with students and parents and  
21 teachers. That's something that I -- that  
22 people come to me and can me questions.  
23 I'm not going to give you their names and  
24 tell you this is who I spoke with. And  
25 that was -- that was many, many, many,

1 WHITE

2 many people that I spoke with.

3 Q. Can you give me examples --

4 A. Upset. People that are upset.

5 Q. Can you give me examples by name  
6 of students with whom you spoke?

7 A. Of students, no.

8 Q. Can you give me examples by name  
9 of parents with whom you spoke?

10 A. The people that the parents that  
11 goes to the schools thousands of students.  
12 There are thousands of public school  
13 children. I spoke to some of their  
14 parents and some of the students.

15 Q. Can you --

16 A. Some have graduated from --  
17 since -- since they spoke. Some have not.  
18 Some are not.

19 Q. Are you finished?

20 A. I can't remember their names  
21 right now.

22 Q. Okay. So you can't name any  
23 parents with whom you spoke that --

24 A. Besides the parents that I --  
25 that are on the list, on the list that you

1 WHITE

2 showed me before, the people on the  
3 mailing list --

4 Q. Are you referring to an exhibit  
5 we looked at?

6 A. All the people on Exhibit 1,  
7 whether they are -- they were parents or  
8 concerned citizens, felt that we are  
9 disenfranchised.

10 Q. So you remember having  
11 conversations with all or some of the  
12 persons --

13 A. Many of them.

14 Q. Can you please let me finish my  
15 question before you answer.

16 A. Please finish.

17 Q. So do you remember having  
18 conversations with all or some of the  
19 persons listed as present at the meeting  
20 on Exhibit 1?

21 A. I remember having conversations  
22 with a lot of them.

23 Q. Can you identify which persons  
24 you're referring to?

25 A. Dr. Susan Gordon, Peggy Hatton,



1 WHITE

2 myself, Curtis Whitehead, Tony Luciano,  
3 Michael Miller.

4 Q. So you spoke --

5 A. I said Peggy Hatton.

6 Q. Were you --

7 A. Those were some.

8 Q. Were you referring to any  
9 particular conversations you had with  
10 these parents in your letter of Exhibit 6?

11 A. Say that again.

12 Q. In Exhibit 6, you say that you,  
13 in speaking with parents, and you just  
14 testified that some of those parents are  
15 identified on Exhibit 1.

16 And my question is whether you  
17 have a specific memory about any of the  
18 conversations you had with those parents  
19 that you used when writing this letter.

20 A. I didn't -- the parents -- the  
21 people that I -- they're not all parents,  
22 you know. They're concerned citizens, not  
23 all parents. And it's -- the reason why  
24 they are on this list or they get involved  
25 is because they are concerned about what's

1 WHITE

2 going on in the district, the lack of  
3 education the kids were getting. So the  
4 mere fact that they are there, it proves  
5 that they care, and they want change. And  
6 we talk about what's going on in the  
7 school. We are upset about the lack of  
8 education. We feel that the kids are  
9 being neglected.

10 Q. Sitting here today, can you  
11 identify by name any of the teachers with  
12 whom you spoke --

13 A. No.

14 Q. -- that you referenced in your  
15 letter?

16 A. No.

17 Q. So the next paragraph starts by  
18 saying, "Accommodations are made for white  
19 voters but not for black voters."

20 So is it your -- when you wrote  
21 this letter, what did you mean by that?

22 A. It's exactly what it says. The  
23 following practices are discriminatory,  
24 because they either make it easier for  
25 white voters or more difficult for voters

1 WHITE

2 help them.

3 Q. Did you ever observe a poll  
4 worker being unhelpful to voters of color?

5 A. Yes.

6 Q. Can you give me an example?

7 A. I don't have an example, because  
8 I don't really remember. You're asking me  
9 to give you an example of everything,  
10 which -- this is really -- I think this is  
11 ridiculous. I wrote a letter to the  
12 NAACP, voicing my concerns about the lack  
13 of education or the issues in the school  
14 district. And I get -- I come here. I  
15 spend hours. And you're grilling me as if  
16 I committed a crime. So I really think  
17 this is unfair. And this is what I'm  
18 talking about disenfranchisement. If  
19 anybody write a letter or open their  
20 mouths of what's going on, and they get  
21 treated like this, people are not coming  
22 out to complain about anything. Me? This  
23 won't stop me. I will write another  
24 letter. I'll write ten letters. But this  
25 is -- this is what I'm talking about.

1 WHITE

2 Q. You're saying that this  
3 deposition is discriminatory?

4 A. It's ridiculous that you're  
5 grilling me about something -- a letter I  
6 wrote. I am not part of this lawsuit.

7 Q. This letter was filed in this  
8 litigation. You see the top part?

9 A. It doesn't matter. I'm just  
10 telling you. You're asking me to read  
11 every bullet point, every -- and you're  
12 asking me the same questions multiple  
13 times. You know, and all I did was write  
14 a letter.

15 Q. So you're saying this -- when  
16 you said this is ridiculous, what are you  
17 referring to?

18 A. I'm referring to the type of  
19 questions you are asking me and how you're  
20 asking me the same questions over and  
21 over. And I don't know what answers you  
22 want from me. When I answer to the best  
23 of my ability, you still ask me the same  
24 questions again. So -- but all I did was  
25 write a letter, you know, and I'm getting

I N D E X

WITNESS	EXAMINATION BY	PAGE
EMILIA WHITE	MS. KOLLM	4

E X H I B I T S

WHITE	DESCRIPTION	PAGE
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CERTIFICATION

I, SHARON PEARCE, a Notary Public for  
and within the State of New York, do  
hereby certify:

That the witness whose testimony as  
herein set forth, was duly sworn by me;  
and that the within transcript is a true  
record of the testimony given by said  
witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I am  
in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 7th day of February,  
2019.



-----  
SHARON PEARCE, RMR, CRR

\* \* \*